

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN CHASE HIBBARD**, on February 4, 1999 at 8:00 A.M., in Room 437 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Chase Hibbard, Chairman (R)  
Rep. Kim Gillan, Vice Chairman (D)  
Rep. Bob Story, Vice Chairman (R)  
Rep. Gary Beck (D)  
Rep. Rick Dale (R)  
Rep. Bob Davies (R)  
Rep. Ron Erickson (D)  
Rep. Daniel Fuchs (R)  
Rep. Mary Anne Guggenheim (D)  
Rep. Marian Hanson (R)  
Rep. Hal Harper (D)  
Rep. Dan Harrington (D)  
Rep. John L. Holden (R)  
Rep. Verdell Jackson (R)  
Rep. Scott J. Orr (R)  
Rep. Bob Raney (D)  
Rep. Bill Rehbein (R)  
Rep. Sam Rose (R)  
Rep. Trudi Schmidt (D)  
Rep. Roger Somerville (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Donna Grace, Committee Secretary  
Jeff Martin, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted:

HB 128, 1/26/1999

HB 191, 1/26/1999

Executive Action:

HB 318 - Table

HB 405 - Do Pass as Amended

**HEARING ON HB 128**

**Opening Statement by Sponsor:**

Rep. Kim Gillan, House District 11 **EXHIBIT**(tah28a01)

{Tape : 1; Side : A; Approx. Time Counter : 2.2}

**Proponents' Testimony:**

Barbara Ranf, U. S. West **EXHIBIT**(tah28a02) **EXHIBIT**(tah28a03)

{Tape : 1; Side : A; Approx. Time Counter : 12.4}

Mike Strand, Montana Independent Telephone Systems

{Tape : 1; Side : A; Approx. Time Counter : 20.6}

Geoff Feiss, Montana Telecom Association, **EXHIBIT**(tah28a04)

**EXHIBIT**(tah28a05)

{Tape : 1; Side : A; Approx. Time Counter : 25.4}

John McNamara, AT&T **EXHIBIT**(tah28a06)

{Tape : 1; Side : B; Approx. Time Counter : 8.8}

John Fitzpatrick, Touch America (Subsidiary of Montana Power Co.)

{Tape : 1; Side : B; Approx. Time Counter : 17.4}

Evan Barrett, Montana Economic Development Corporation

{Tape : 1; Side : B; Approx. Time Counter : 23.2}

Dennis Burr, Montana Taxpayers Association

{Tape : 1; Side : B; Approx. Time Counter : 25.8}

Gloria Paladichuk, Richland Economic Development Association

{Tape : 2; Side : A; Approx. Time Counter : 0.7}

Opponents' Testimony:

Jay Preston, President, Ronan Telephone Co.

{Tape : 2; Side : A; Approx. Time Counter : 2.9}

Ivan Evilsizer, Attorney, Helena, Hot Springs Telephone Co.

**EXHIBIT** (tah28a07)

{Tape : 2; Side : A; Approx. Time Counter : 8.7}

Informational Testimony:

Gordon Morris, Executive Director, Montana Association of Counties

{Tape : 2; Side : A; Approx. Time Counter : 19.5}

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 26.3} continued  
through {Tape : 3; Side : A; Approx. Time Counter : 14}

Closing by Sponsor:

Rep. Gillan closed the hearing.

{Tape : 3; Side : A; Approx. Time Counter : 15.9}

HEARING ON HB 191

Opening Statement by Sponsor:

Rep. Kim Gillan, House District 11

{Tape : 3; Side : A; Approx. Time Counter : 19.2}

Proponents' Testimony:

None.

Opponents' Testimony:

Ivan Evilsizer, Attorney, Hot Springs Telephone Co.

{Tape : 3; Side : A; Approx. Time Counter : 20.4}

Questions from Committee Members and Responses:

None.

Closing by Sponsor:

Rep. Gillan closed.

{Tape : 3; Side : A; Approx. Time Counter : 21.4}

EXECUTIVE ACTION ON HB 318

Motion:

Rep. Jackson MOVED DO PASS.

{Tape : 3; Side : A; Approx. Time Counter : 21.9}

Motion:

Rep. Jackson MOVED the amendments. **EXHIBIT**(tah28a08)

{Tape : 3; Side : A; Approx. Time Counter : 22}

Discussion:

**EXHIBIT**(tah28a09)

{Tape : 3; Side : A; Approx. Time Counter : 23}

Vote:

On a voice vote, the **MOTION PASSED** to adopt the amendments, 17 - 3. Gillan, Harrington and Rose voting no.

{Tape : 3; Side : B; Approx. Time Counter : 23}

Motion:

Rep. Jackson MOVED that HB 318, as amended, DO PASS.

{Tape : 3; Side : B; Approx. Time Counter : 9.8}

Discussion:

**EXHIBIT**(tah28a10)

{Tape : 3; Side : B; Approx. Time Counter : 10.2}

Motion/Vote:

Rep. Harper MOVED a conceptual amendment to add "accredited schools." The **MOTION FAILED**, 18 - 2. Story, Orr, Schmidt, Holden, Rose, Guggenheim, Jackson, Harrington, Dale, Somerville, Erickson, Beck, Davies, Fuchs, Hanson, Raney, Gillan and Hibbard voting no; Rehbein and Harper voting yes.

{Tape : 3; Side : B; Approx. Time Counter : 26.5}

Discussion:

**EXHIBIT**(tah28a11)

*{Tape : 4; Side : A; Approx. Time Counter : 7.5}*

Substitute Motion/Vote:

Rep. Harrington MOVED to TABLE. The MOTION PASSED, 14 - 6.  
Schmidt, Holden, Rose, Guggenheim, Harrington, Somerville,  
Erickson, Beck, Fuchs, Harper, Hanson, Raney, Gillan, Hibbard  
voting yes; Story, Orr, Jackson, Dale, Rehbein and Davies voting  
no.

*{Tape : 4; Side : A; Approx. Time Counter : 24}*

EXECUTIVE ACTION ON HB 405

Motion:

Rep. Fuchs MOVED DO PASS.

*{Tape : 4; Side : B; Approx. Time Counter : 2.5}*

Motion/Vote:

Rep. Fuchs MOVED an amendment. **EXHIBIT**(tah28a12) The MOTION  
PASSED unanimously.

*{Tape : 4; Side : B; Approx. Time Counter : 2.8}*

Motion:

Rep. Fuchs MOVED HB 405 DO PASS as amended. **EXHIBIT**(tah28a13)  
On a voice vote, the MOTION PASSED, 17 - 3. Orr, Rehbein and Beck  
voting no.

Adjourn.

*{Tape : 4; Side : B; Approx. Time Counter : 16.3}*

**ADJOURNMENT**

Adjournment: 11:55 A.M.

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REP. CHASE HIBBARD, Chairman

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DONNA GRACE, Secretary

CH/DG

**EXHIBIT** (tah28aad)